

Notice of Allowability

Application No.

10/772,148

Examiner

Abdul Manaf

Applicant(s)

MESSENGER ET AL.

Art Unit

3635

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Telephonic communication of April 12, 2006.
2. ☒ The allowed claim(s) is/are 1-7, 9-15, 25-32, 34-41.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau. (PCT Rule 17.2(a)).
- * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 04/08/2004
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Craig W. Muellor on April 12, 2006.

The application has been amended as follows:

Claim 1 amended: delete [foam] in lines 7, 9, 10, 14, 15, 16; and delete [at least one] in line 12 to replace with second.

Claim 2 amended: Add first carbon fiber material comprises in line 2 after "wherein said" and before "at least one carbon fiber. Delete [is] in line 2.

Claim 3 amended: delete [foam] in line 2.

Claim 11 amended: delete [foam] in line 3.

Claim 12 amended: delete [foam] in line 2.

Claim 13 amended: delete [foam] in line 3.

Claim 25 amended: delete [foam] in lines 5, 8 and 9.

Claim 27 amended: delete [foam] in line 1.

Claim 38 amended: delete [foam] in line 1.

Canceled Claims 8, 16 – 24 and 33.

Claims 1 – 7, 9 – 15, 25 – 32 and 34 – 41 are allowed.

Drawings are accepted.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The U.S. Patent No. 6,202,375 to Kleinschmidt comprises most of the basic limitations claimed by the applicant. For instance, an insulation core with concrete layers on both side having a wire mesh embedded in concrete; wherein the wire mesh of both concrete layers is interconnected. Similarly, the U.S. Patent No. 5,146,721 to Candiracci, the U.S. Patent No. 4,811,770, the U.S. Patent No. 6,272,805 to Ritter et al. and the U.S. Patent No. 6,295,786 to Lee meet most of the limitations claimed by the applicant.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abdul Manaf whose telephone number is 571-272-1476. The examiner can normally be reached on 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl Friedman can be reached on (571) 272-6842. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AM *A.M.*

04/12/2006

Robert Canfield
Primary Examiner
